

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

United States Court of Appeals
Fifth Circuit

FILED

September 22, 2009

Charles R. Fulbruge III
Clerk

No. 09-30058
Summary Calendar

TROY JENNINGS,

Petitioner-Appellant

v.

FEDERAL BUREAU OF PRISONS; UNITED STATES PROBATION, Brooklyn;
UNITED STATES DEPARTMENT OF JUSTICE; UNITED STATES
ATTORNEY'S OFFICE; CLERK, US DISTRICT COURT, Brooklyn,

Respondents-Appellees

Appeal from the United States District Court
for the Western District of Louisiana
USDC No. 1:08-CV-1189

Before HIGGINBOTHAM, CLEMENT and SOUTHWICK, Circuit Judges.

PER CURIAM:*

Troy Jennings, federal prisoner # 67949-053, appeals the district court's dismissal with prejudice of his 28 U.S.C. § 2241 petition challenging his custodial classification in the Federal Correctional Institute in Pollock. Jennings contends that he was erroneously classified at a high security level.

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

An inmate lacks any constitutional interest in custodial classification, and his disagreement with his classification is insufficient to state a constitutional violation. *Wilson v. Budney*, 976 F.2d 957, 958 (5th Cir. 1992). Absent an abuse of discretion, federal courts will not interfere with prison officials' custodial classifications. *Whitley v. Hunt*, 158 F.3d 882, 889 (5th Cir. 1998), *abrogated on other grounds by, Booth v. Churner*, 532 U.S. 731, 735 (2001). Jennings has not established that prison officials abused their discretion in the classification decision. *See Whitley*, 158 F.3d at 889.

Accordingly, the judgment of the district court is AFFIRMED. Jennings's motion for court-ordered discovery is DENIED.